

IN RE: PETITION FOR VARIANCE
E/S Chestnut Oak Road, 30' N of
the c/l of Amuskai Road
(8501 Chestnut Oak Road)
9th Election District
4th Councilmanic District

Robert L. Osborne, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-149-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 8501 Chestnut Oak Road, located in the Ridgely area of northeastern Baltimore County. The Petition was filed by the owners of the property, Robert L. and Sharon L. Osborne. The Petitioners seek relief from Section 102.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence 6 feet in height at the intersection of a street and an alley in lieu of the maximum permitted 3-foot height. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert and Sharon Osborne, property owners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 3,496 sq.ft., zoned D.R. 5.5, and is improved with a single family, duplex dwelling, located on the corner of Chestnut Oak and Amuskai Roads. The Petitioners have resided on the property for the past 30 years. Approximately 17 years ago, the Petitioners erected a 6-foot high fence across the rear yard and half way up the side yard to provide privacy for their swimming pool. The Petitioners were recently cited with a zoning violation for the subject fence because their property is a corner lot.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Mrs. Osborne testified that the Zoning Administration and Development Management (ZADM) office was asked by one of her neighbors to do an inspection of their community to clean up a variety of zoning violations, including junked or unlicensed vehicles. As a result of ZADM's investigation, the Petitioners received a citation for the fence and were advised to file the instant Petition to legitimize same. Mr. Osborne testified that over the 17 years that the fence has existed on their property, there have never been any accidents or traffic problems. He testified that there is ample room from the alley behind his property to access Amuskai Road and that sight distance is not affected by the fence. Photographs submitted into evidence as Petitioner's Exhibit 2 support the Petitioners' contention that there is ample room for a motorist to see any oncoming traffic on Amuskai Road when exiting the alley adjacent to this fence.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING
Date 12/2/74
By [Signature]

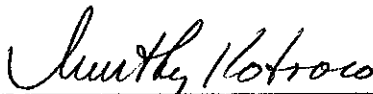
WICHTHORN

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of December, 1994 that the Petition for Variance seeking relief from Section 102.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence 6 feet in height at the intersection of a street and an alley in lieu of the maximum permitted 3-foot height, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that a 30-day appeal period runs from the date of this Order. If an appeal is filed and the decision rendered in this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 12, 1994

Mr. & Mrs. Robert L. Osborne
8501 Chestnut Oak Road
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
E/S Chestnut Oak Road, 30' N of the c/l of Amuskai Road
(8501 Chestnut Oak Road)
9th Election District - 4th Councilmanic District
Robert L. Osborne, et ux - Petitioners
Case No. 95-149-A

Dear Mr. & Mrs. Osborne:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

MICROFILMED



Petition for Variance

95-149-A
to the Zoning Commissioner of Baltimore County

for the property located at 8501 Chestnut Oak Rd
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 102.5 (BCZR)

To permit a 6-foot high fence at the intersection of a street and an alley
in lieu of the maximum required 3 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) We have a pool in our rear yard which is why our shed is in the middle portion of our rear yard. Due to the fact that our yard faces the rear of a shopping center, we need the fence for privacy. Also with small children we feel they do not need to see what goes on in the rear of that shopping center. (see letter to Councilman Eikel)

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

10-17-74

Printed with Soybean Ink
on Recycled Paper

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ORDER RECEIVED FOR FILING

Date

By

EXAMPLE 3 - Zoning Description

- 3 copies

95-149-A

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8501 Chestnut Oak Rd
(address)

Beginning at a point on the EAST side of Chestnut Oak Rd
(north, south, east or west) (name of street)

which is 60'
street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 30' NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street AMUSKA RD.

(name of street)

which is 50' wide. *Being Lot # 1,
(number of feet of right-of-way width)

Block 4A, Section # — in the subdivision of RIDGLEIGH
(name of subdivision)

as recorded in Baltimore County Plat Book # 14, Folio # 34, containing

3,496 sq. Also known as 8501 Chestnut Oak Rd.
(square feet or acres) (property address)

and located in the 4th Election District, 2 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ____, Folio ____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-149-A

Account: R-001-6150

Number 143

Date 10-17-94

OSBORNE ---- 8501 Chestnut Oak Rd.

Taken by J.R.F.

010... Variance --- \$50.00

080... Sign ---- \$35.00

\$85.00

MICROFILMED

01A01#0037MCHRC

\$85.00

BA 010:31AM10-17-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 143

Petitioner: Robert L. & Sharon Osborne

Location: 8501 Chestnut Oak Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert L. Osborne

ADDRESS: 8501 Chestnut Oak Rd
Baltimore, Md 21234

PHONE NUMBER: 661-8183

AJ:ggs

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(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
November 3, 1994 Issue - Jeffersonian

Please forward billing to:

Robert L. Osborne
8501 Chestnut Oak Road
Baltimore, Maryland 21234
661-8183

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-149-A (Item 143)
8501 Chestnut Oak Road
E/S Chestnut Oak Road, 30' N of c/l Amuskai Road
9th Election District - 4th Councilmanic
Petitioner(s): Robert L. Osborne and Sharon L. Osborne
HEARING: FRIDAY, NOVEMBER 18, 1994 at 9:00 a.m. in Room 106, County Office Building.

Variance to permit a 6-foot high fence at the intersection of a street and an alley in lieu of the maximum 3 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 28, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-149-A (Item 143)

8501 Chestnut Oak Road

E/S Chestnut Oak Road, 30' N of c/l Amuskai Road

9th Election District - 4th Councilmanic

Petitioner(s): Robert L. Osborne and Sharon L. Osborne

HEARING: FRIDAY, NOVEMBER 18, 1994 at 9:00 a.m. in Room 106, County Office Building.

Variance to permit a 6-foot high fence at the intersection of a street and an alley in lieu of the maximum 3 feet.

A handwritten signature in dark ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, sweeping "A" and "J".

Arnold Jablon
Director

cc: Robert and Sharon Osborne

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

COPIES



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Mr. & Mrs. Robert L. Osborne
8501 Chestnut Oak Road
Baltimore, Maryland 21234

NOV. 7 1994

RE: Case No. 95-149A, Item No. 143
Petitioner: Robert & Sharon Osborne

Dear Mr. and Mrs. Osborne:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 17, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

11-4-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109

111 W. Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: MS JOYCE WATSON

Re: Baltimore County
Item No.: \$ 143 (JRF)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 7, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for Nov. 7, 1994
Item No. 143

The Developers Engineering Section has reviewed the subject zoning item. The proposed fence shall not obstruct the line of sight.

RWB:sw

11/10/94

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 11/02/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 31, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 143, 144, 146, 147, 148,
149, 151 AND 152.

RECEIVED
NOV 4 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

RECEIVED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: 11/2/94

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 143, 144, 149, 150, 151, and 152

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

RE: PETITION FOR VARIANCE	*	BEFORE THE
8501 Chestnut Oak Rd., E/S Chestnut		
Oak Rd., 30' N of c/l Amuskai Rd.	*	ZONING COMMISSIONER
9th Election Dist., 4th Councilmanic		
	*	OF BALTIMORE COUNTY
Robert L. and Sharon L. Osborne		
Petitioners	*	CASE NO. 95-149-A
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 1994, a copy of the foregoing Entry of Appearance was mailed to Robert L. and Sharon L. Osborne, 8501 Chestnut Oak Road, Baltimore, MD 21234, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

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B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DATE: November 3, 1994

TO: Gwen Stephens

FROM: Jim Thompson

RE: Case No. 95-149A
8501 Chestnut Oak Road
9th Election District

Please be advised that the referenced case is the subject of an outstanding violation, Case No. C-95-401.

When notices are issued relative to the hearing date, please notify Councilman Douglas B. Riley.

Finally, the enforcement file can be located in the open docket.

JHT/hek

11/03/94

September 28, 1994

Douglas B. Riley
Councilman 4th District
400 Washington Ave
Towson, Md 21204

Dear Councilman Riley,

We own a home in the Ridgeleigh Community. We have lived in this community for thirty years. As a homeowner we take pride in our house and yard. We do our best to keep our property in good repair and have never had that questioned, until now. Recently we received a zoning notice. The notice stated that the fence around our rear yard was in violation of zoning laws and that our shed also was a violation. In trying to comply with the notice we found that we can't just fix what is wrong and move on. Because of a complaint we now have to file for a variance hearing. You would not believe the trouble you have trying to file a petition for a variance hearing. We spent an entire day just going from building to building to get the necessary papers. In one instance we had to get an aerial photo of our property (for which we will never understand the purpose of) from one building, go across the street to another building to pay for it and back over to the first building to pick it up, waiting in line for each thing. When we went to our appointment on Oct 3, 1994 and presented our signed forms to file for the petition we were told that someone had given us the wrong forms to fill out and sign. This means we have another appointment on Oct 17, 1994, another day to take off from work. Three days spent in doing this so far and another for the hearing day, that is if, at the next appointment they don't find something else they have done wrong. All of this has to be done during working hours which is a costly inconvenience. For some of the paper work involved you have to be an architect to figure it out; 12 copies of a plat drawn to scale. We were told "you can draw it yourself." Not to mention the sign that has to sit in your yard for 15 days and the newspaper ad that you are billed for. Let's not forget the expense of filing. Suppose you don't have \$85.00 to file a petition? If you don't have that \$85.00 how could you possibly pay a fine of \$200 a day if you do not comply? It is very contradictory. Our understanding is that in trying to beautify the neighborhood Connie Yanuzzi contacted your office, you and a zoning inspector, Mr. Fitts, walked through our entire neighborhood with Mrs. Yanuzzi and sighted violations. That

#143

is all well and good, we definitely agree with beautifying our neighborhood. What we don't understand is why someone couldn't have notified us first. A letter from you or the community association could have solved the problem and saved a lot of time and money all around. We understand that there are many violations in this neighborhood, especially on Chestnut Oak Road because it has many rental properties, unseen landlords, not resident homeowners. We can also understand that contacting those landlords can be time consuming and neverending. But to penalize a homeowner by filing a complaint through the zoning office and not directly with us first is not at all fair. It is our understanding that the reasons for our violations are:

- 1) a shed has to be in the rear portion of the yard
- 2) a fence cannot be over 36" high at the corner of an alley and a street

or words to that affect. Both of these resolutions were made in November 1956, slightly outdated. Also, you cannot get 36" fencing anymore, it comes in 42" heights. At present our yard is surrounded by 42" chain link fence. In the rear of our yard we have a pool. Around the pool area we have stockade fencing for privacy and for safety. We were told by the State of Md that locked fencing above pool height is required for the safety of neighborhood children when the pool is unattended. Next to the pool in the rear yard we have a shed. Because our yard faces the rear of a shopping center we need the stockade fence for privacy. We have small children and they do not need to see what goes on in the rear of that shopping center. There are dumpsters in the rear and many times in broad daylight we have seen men urinating behind the shopping center, drunk and disorderly people using filthy language day or night, drug users huddled. A drunken man exposed himself to our sixteen year old daughter as she walked from the hardware store during the daytime. Another reason for the fencing is that before we had it we would find beer bottles, liquor bottles, used condoms, used needles, along with rocks, trash and whatever in our pool. Because the pool is in the rear yard the shed has to be in the middle portion of the rear yard, there is no other place to put it. Because we divided the front and rear yard with stockade fence the shed is not even noticeable.

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The point of this letter is this, it seems to us that if a letter had been sent to us explaining the grievance it could very easily been solved with a phone call. Now because zoning is involved we have to file a petition for a variance hearing which is not only costly but very time consuming to get the paper work in order. We have walked through this neighborhood also and have sighted many things which we know are in violation and have been for years. Alleys that are so torn and broken up it is impossible for a car to pass through let alone a garbage truck. For years our alley has been rapidly deteriorating. When it rains steadily our crawl space fills up because of the crumbling stone and debris of the alley fills the storm drain, nothing is ever done about that, reason being that the homeowners are supposed to pay for it but once again we live on a street of renters, unseen landlords, who do not want to be responsible. Every other alley in the neighborhood has been repaired. Do we have to wait for an innocent child to be hurt before something is done? There are yards with so much trash and in them that they look like a junkyard, sheds and carports falling down. We have taken pictures of all of this in preparation for our variance hearing. Speaking of the shopping center, it is one huge violation. There are businesses in the rear of it and it is our understanding that is in violation, especially since they have neither fire escapes nor fire exits.

It is really a shame that decent, law abiding, homeowners have to be punished while the real violators continue to go unnoticed. It is also a shame that you can't find something better to do with the taxpayer's money than this.

Sincerely,

Robert L. & Sharon L. Osborne
661-8183

enc

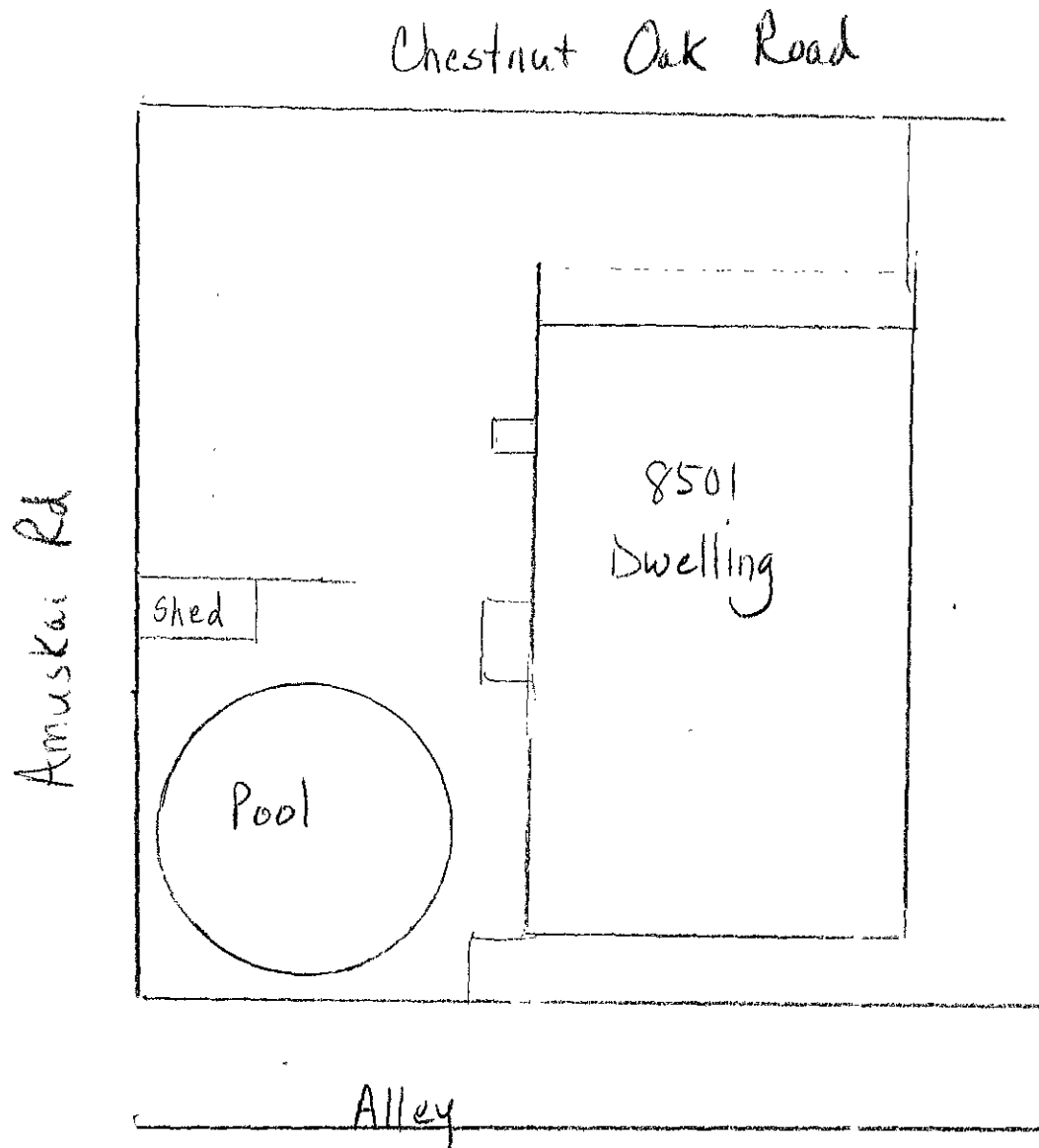
slo

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#143

Accurate sketch of our property.

Rear of Shipping Center



143

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

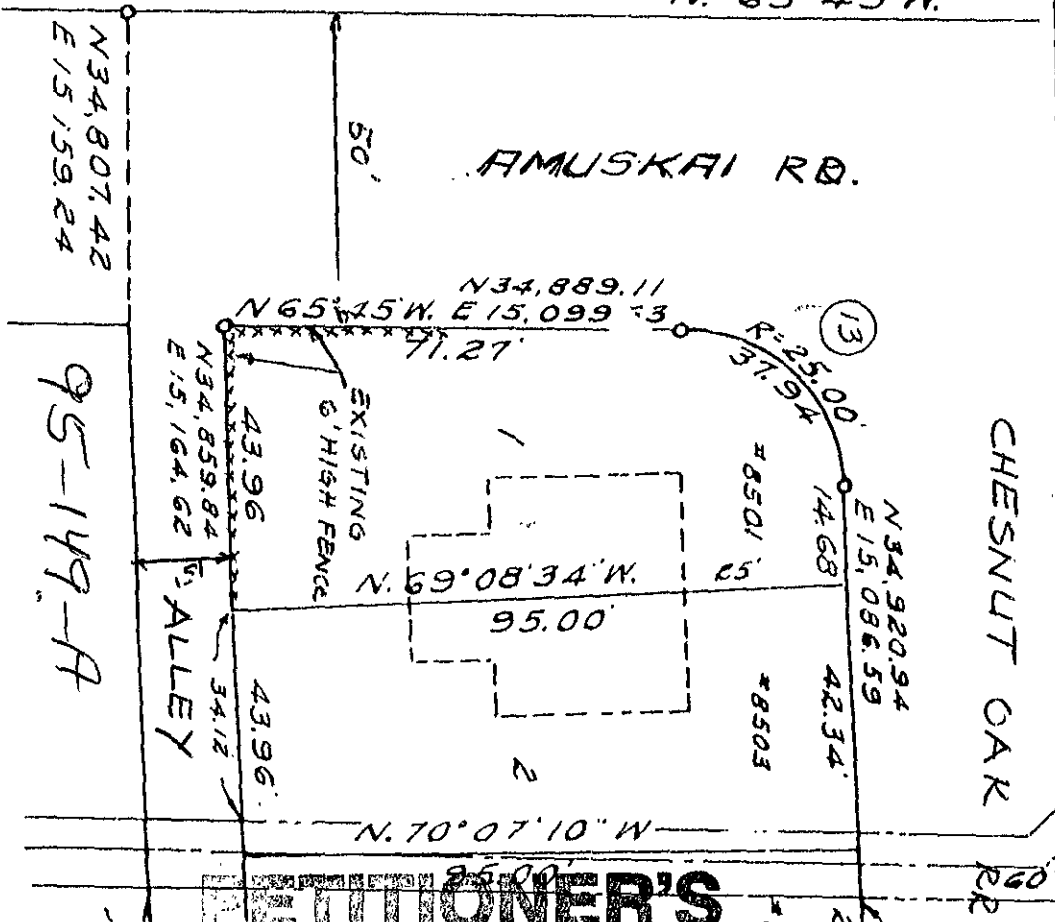
PROPERTY ADDRESS: 8501 Chestnut Oak Rd

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: RIDGELEIGH

Plat book# 14, folio# 34, lot# 1, section# 4A

OWNER: Robert L. & Sharon L. Osborne



North

date: 10-3-94
prepared by: Ad.

Scale of Drawing: 1" = 30'

N 34,807.42
E 15,159.24

95-149-A

PETITIONER'S EXHIBIT NO. 1

LOCATION INFORMATION

Election District: 4H
Councilmanic District: 2

T=200' scale map#: NE9C

Zoning: DR 5.5

Lot size: 3,496.4 acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ yes ☐ no

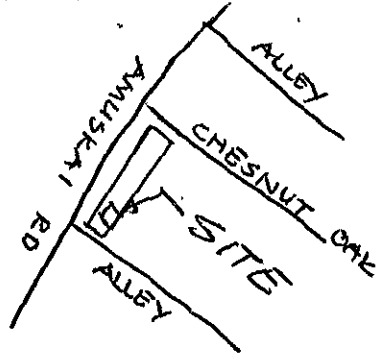
Chesapeake Bay Critical Area: ☐ yes ☒ no

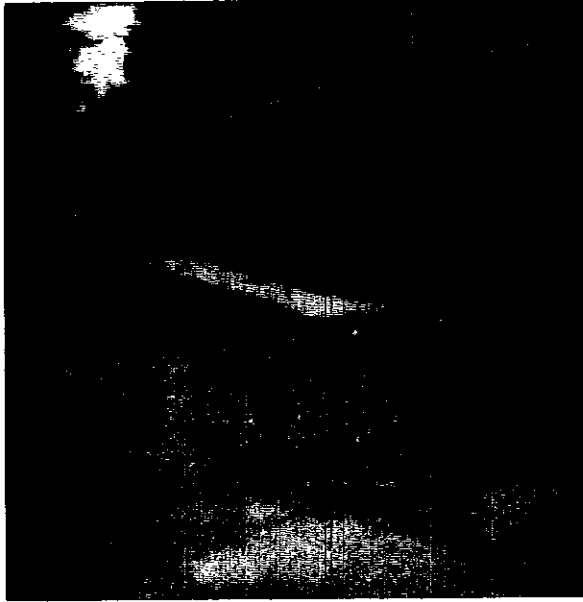
Prior Zoning Hearings: None

Zoning Office USE ONLY!

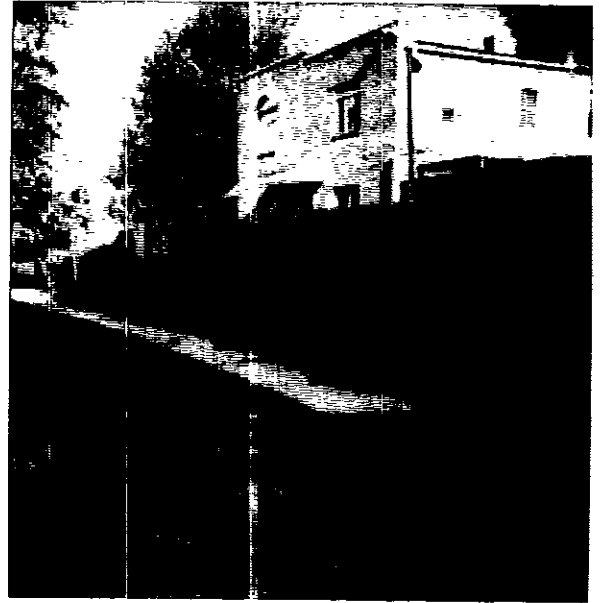
reviewed by: Ad. ITEM #: 143 CASE#: 143

Vicinity Map
Scale 1"=1000'





Before we repaired
fence & shed.



After repairs of fence.
& removal of shed.



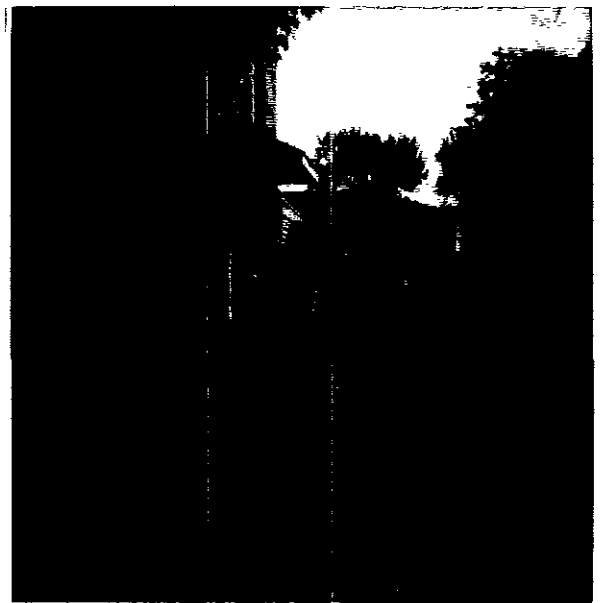
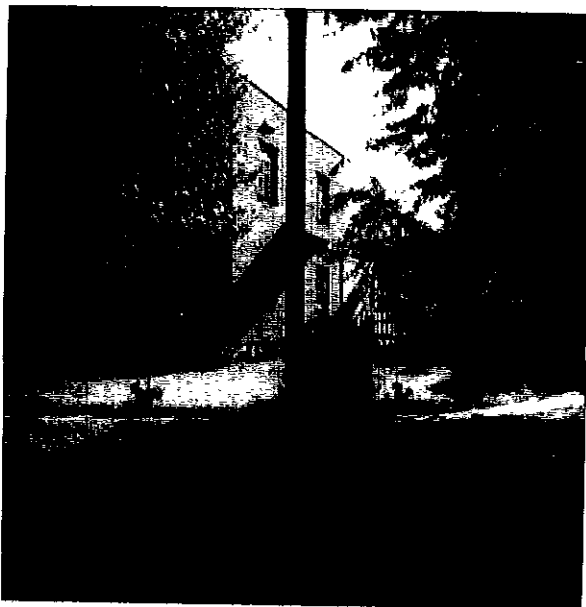
View showing neighbor's house
& yard with fence over 3' at
corner at alley (directly across
alley from our house)

EXHIBIT NO. 2

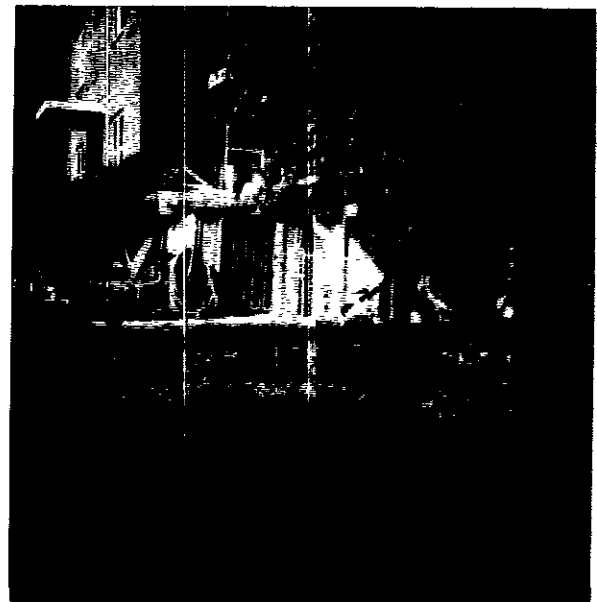
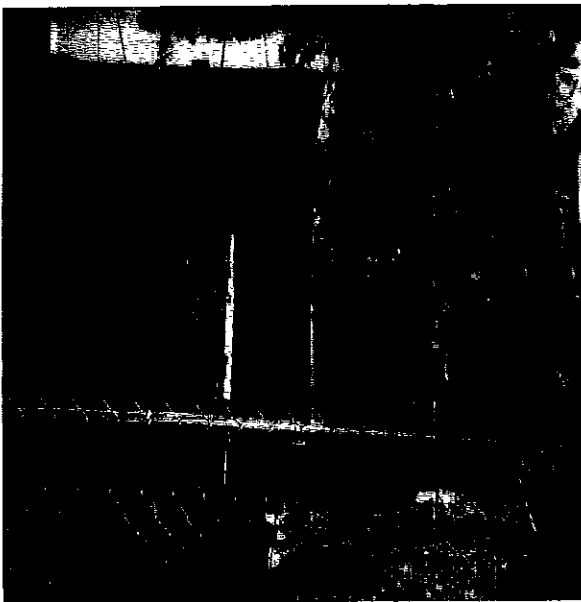
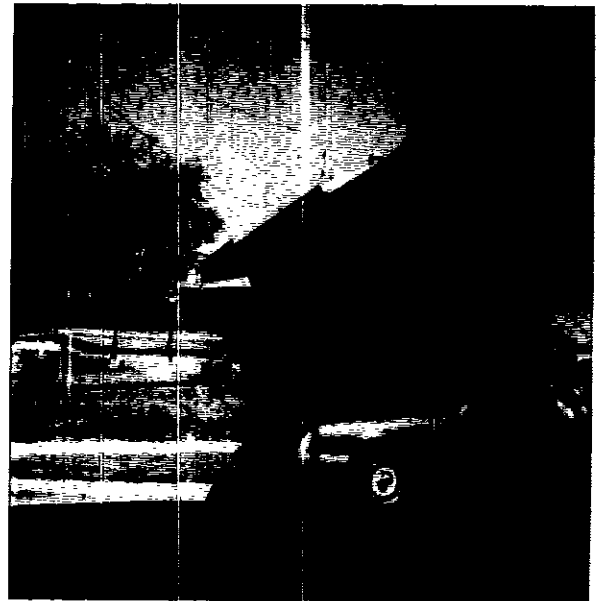
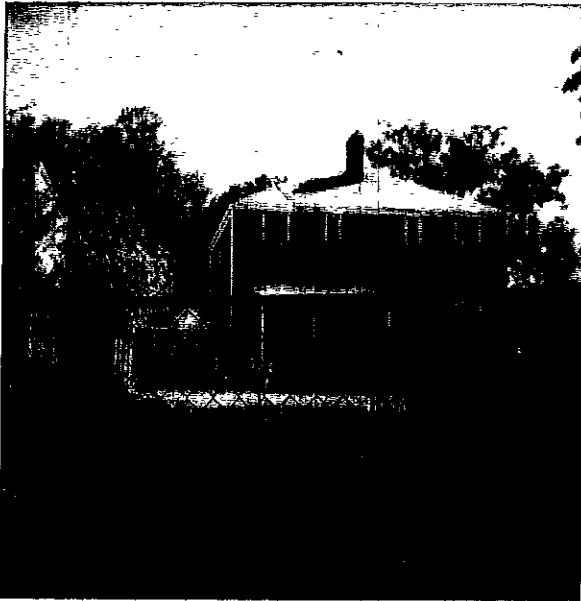
MICROFILMED

#143

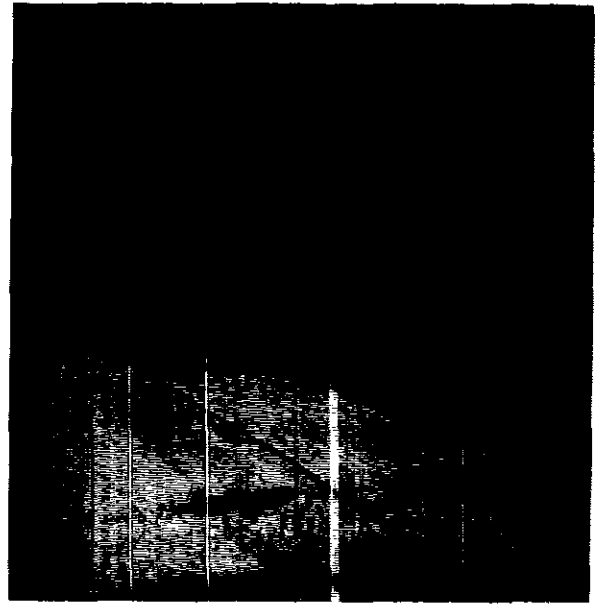
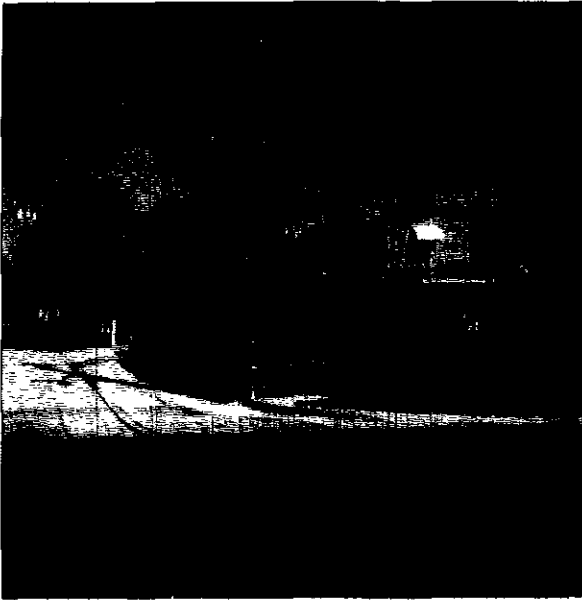
95-149-A



~~different~~ Different views of our yard and how it is kept. #143

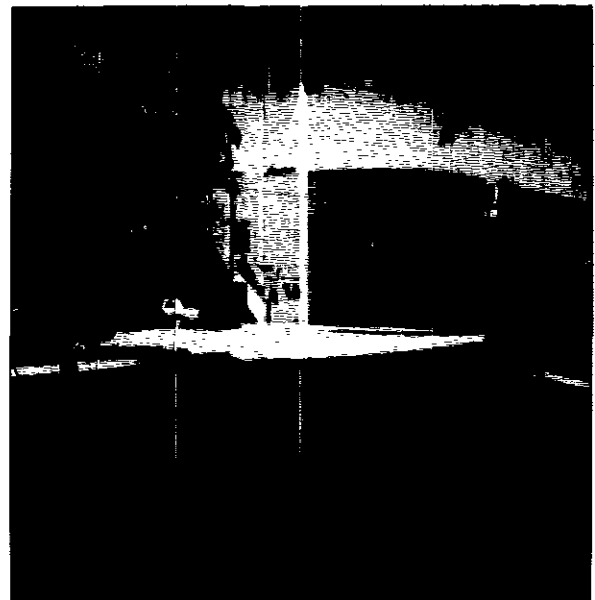
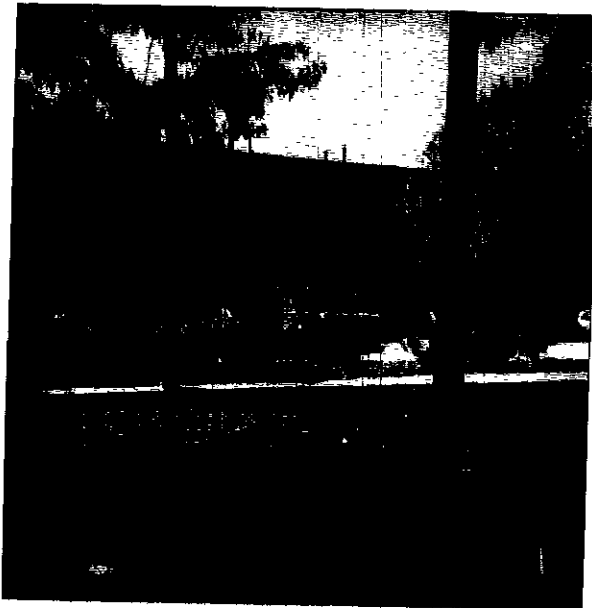
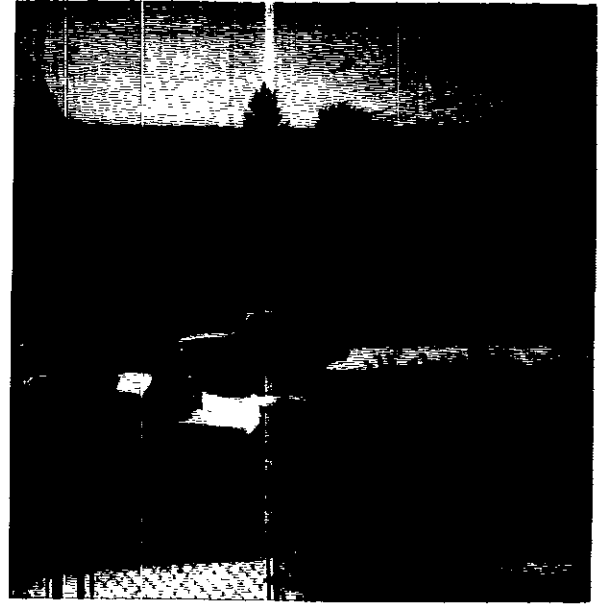
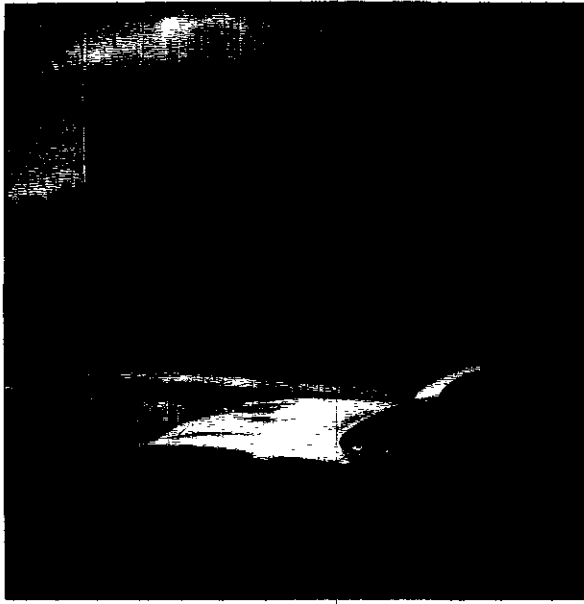


Other yards in our immediate area that have sheds
not in rear of rear yards.



Other yards in our immediate area that corner at an alley
and have fences or bushes over 3'.
MICROFILM

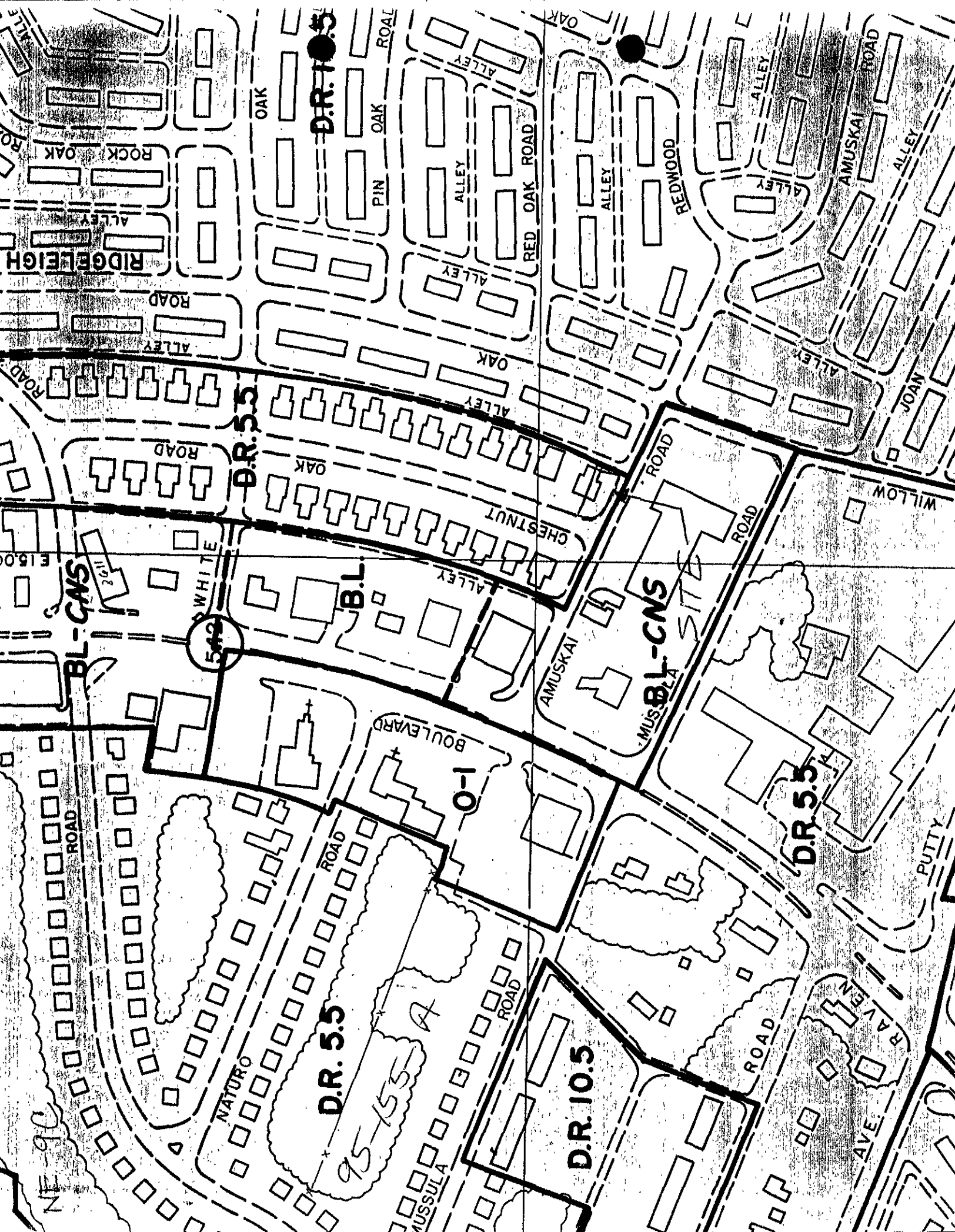
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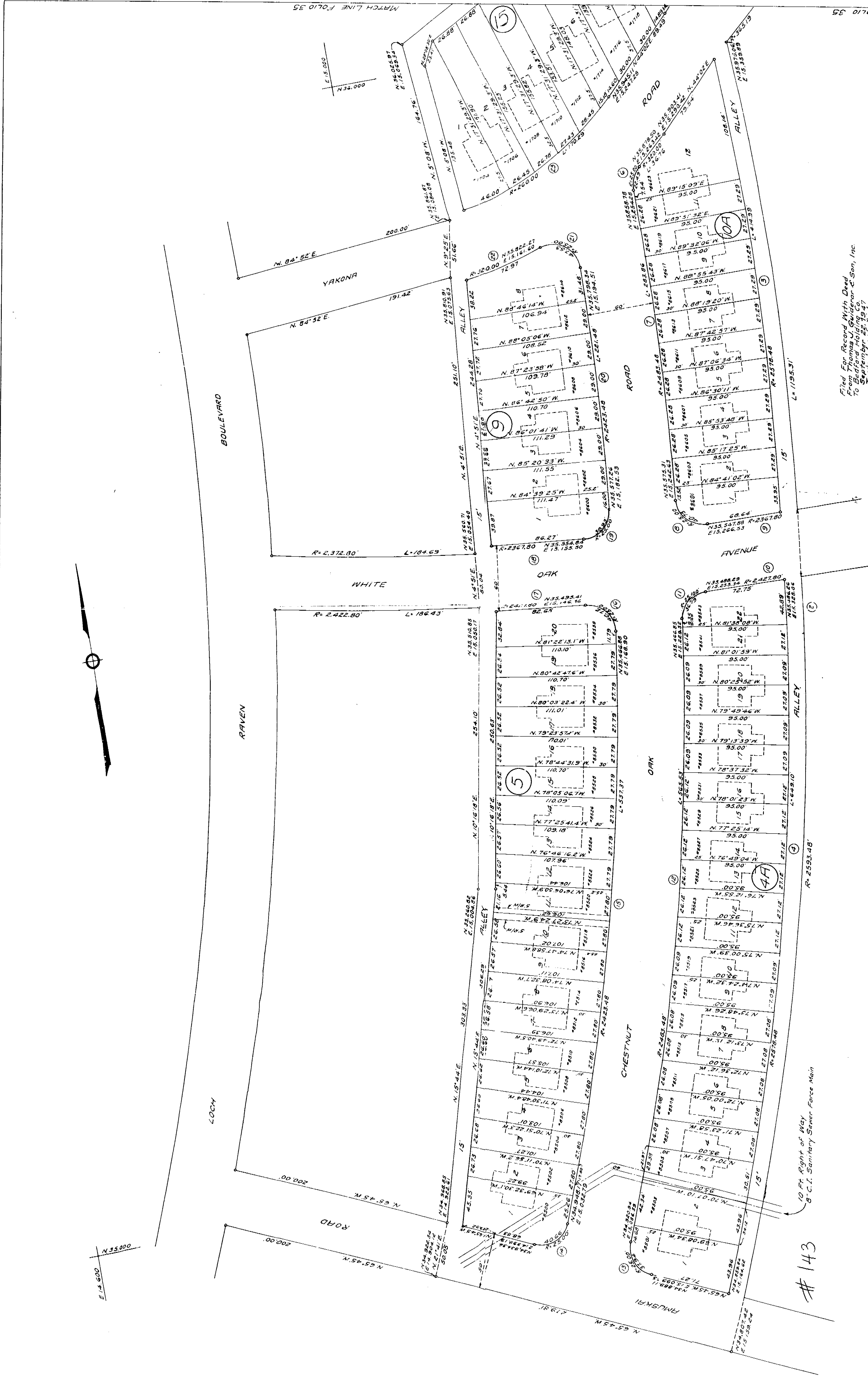


Shopping Center (rear) which our yard faces. Businesses there
with no fire escapes or fire exits

MICROFILMED

143





RIDGELEIGH
ELECTION DISTRICT No. 2 - BALTIMORE COUNTY, MD.
SUBDIVISION PLAT OF BLOCKS 4A, 5, 9, 10A, AND
PART OF BLOCK 15
SCALE 1" = 40 FT.
AUGUST 1946

Owners Certificate:
Certification is hereby made that all the
requirements of the Annotated Code of Maryland
Chapter 106, Act of 1945 have been complied
with on this plat.

LEGEND

Bearings are related to traverse of Baltimore County Metropolitan District
Lot Numbers shown thus 1, 2, 3, etc.
Block Numbers shown thus ④
House Street Numbers shown thus 1234
Coordinates are related to traverse of Baltimore County Metropolitan District
based on traverse points no. 7620, 7621, 7622, and no. 7621, 7622, 7623

NOTE
Roads, streets and reserved sections are shown on this plat for the
purpose of description only and not for the purpose of dedication.

Approved as to alignment and location of streets:
[Signature]
[Signature]

